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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

Tom Hunter

Attorney Docket No. 407T-895500US
Client Ref. No. 98-298-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul A. Price, et al.

Application No.: 09/164,862

Filed: October 1, 1998

For: YKL-40 AS A MARKER AND
PROGNOSTIC INDICATOR FOR
CANCERS

Examiner: Lin Sun-Hoffman, Ph.D.

Art Unit: 1642

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR § 1.97 and
§ 1.98

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action. Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

This paper is submitted in duplicate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tom Hunter', with a stylized flourish at the end.

Tom Hunter, J.D., Ph.D.
Reg. No. 38,498

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Substitute for form 1449A-B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/164,862
		Filing Date	October 1, 1998
		First Named Inventor	Paul A. Price
		Group Art Unit	1642
		Examiner Name	Lin Sun-Hoffman, Ph.D.
		Attorney Docket Number	407T-895500US
		Date Submitted	December 17, 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	1	Brasso K, Johansen JS, Christensen IJ, Teisner B, Price PA, Iversen P. High serum levels of PINP, bone alkaline phosphatase and YKL-40 in patients with advanced prostate carcinoma are associated with short survival. Meeting Proceedings of American Society for Clinical Oncology ASCO 2003; 22:abstract 1525.	
	2	Cintin C, Johansen JS, Christensen IJ, Price PA, Sørensen S, Nielsen HJ. Serum YKL-40 and colorectal cancer. Brit J Cancer 79:1494-1499, 1999.	
	3	Cintin C, Johansen JS, Christensen IJ, Price PA, Sørensen S, Nielsen HJ. High serum YKL-40 level after surgery for colorectal carcinoma is related to short survival. Cancer 95: 267-274, 2002.	
	4	Dehn <i>et al.</i> (2003) <i>Acta Obstet Gynecol Scand</i> 82: 287-293	
	5	DuPont <i>et al.</i> (2004) <i>J. Clin. Oncol.</i> , 22(16): 3330-3339	
	6	Geertsen P, Johansen JS, von der Maase H, Jensen BV, Price PA. High pretreatment serum level of YKL-40 is related to short survival in patients with advanced renal cell carcinoma treated with high-dose continuous intravenous infusion of interleukin-2. Meeting Proceedings of American Society for Clinical Oncology ASCO 2003;22: abstract 1603.	
	7	Høgdaal EVS, Johansen JS, Kjaer SK, Price PA, Christensen L, Blaakaer J, Bock JE, Glud E, Høgdaal CK. High plasma YKL-40 level in patients with ovarian cancer stage III is related to shorter survival. <i>Oncol Rep</i> 10: 1535-1538, 2003.	
	8	Høgdaal EVS, Johansen JS, Kjaer SK, Price PA, Christensen L, Blaakaer J, Bock JE,	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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STATEMENT BY APPLICANT

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		Glud E, Høgdall CK. High plasma YKL-40 level in patients with ovarian cancer stage III is related to shorter survival. <i>Oncol Rep</i> 10: 1535-1538, 2003.	
	9	Jensen BV, Johansen JS, Price PA. High levels of serum HER-2/neu and YKL-40 independently reflect aggressiveness of metastatic breast cancer. <i>Clin Cancer Res</i> 9: 4423-4434, 2003.	
	10	Johansen <i>et al.</i> (2003) <i>Breast Cancer Res. and Treatment</i> , 80: 15-21	
	11	Johansen JS, Cinton C, Jørgensen M, Kamby C, Price PA. Serum YKL-40: a new potential marker of prognosis and location of metastases of patients with recurrent breast cancer. <i>Eur J Cancer</i> 31A: 1437-1442, 1995.	
	12	Johansen JS, Drivsholm L, Price PA, Christensen IJ. High serum YKL-40 level in patients with small cell lung cancer is related to early death. <i>Lung Cancer</i> 46:333-340, 2004.	
	13	Shostak K, Labunskyy V, Dmitrenko V, Malisheva T, Shamayev M, Rozumenko V, Zozulya Y, Zehetner G, Kavsan V. HC gp-39 gene is upregulated in glioblastoma. <i>Cancer Lett</i> 198: 203-210, 2003.	
	14	Tanwar MK, Gilbert MR, Holland EC. Gene expression microarray analysis reveals YKL-40 to be a potential serum marker for malignant character in human glioma. <i>Cancer Res</i> 62: 4364-4368, 2002.	
	15	http://www.mskcc.org/mskcc/html/52516.cfm	

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